IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4750 OF 2004

M/s.R.B.Industries Construction .. Petitioner

versus

Shri R. Sinha & Anr. .. Respondents

...

Mr.V.R. Patil for the petitioner.

CORAM : B.H. MARLAPALLE,J

DATED : 30th September 2005.

P.C.:

1. Heard. Mr.Patil, the learned counsel for the petitioner states that inspite of his best efforts, he is unable to get the record as per the order dated 23rd September 2005 and he has no further instructions.

2. The authority under the Minimum Wages Act 1948 and the Regional Labour Commissioner (Central) Mumbai has passed an order on 13th January 2004 and allowed the claim filed by the Labour Enforcement

Officer (Central) Pune. By the said order, the present petitioner has been directed to deposit an amount of Rs.34,739/- as compensation on account of its failure to pay wages to its labourers as prescribed in under the Minimum Wages Act 1948. This order has been challenged in the petition.

3. It is noted that notices were issued and the inspection report dated 19th September 2003 submitted by Enforcement Officer was considered by the competent authority. The competent authority has recorded a finding that the petitioner had failed to pay the duty wages to the workmen. The said order does not suffer from any error apparent from the face of the record so as to call for interference to the supervisory powers of this Court.

4. The petition is therefore rejected summarily. In case the amount has been remitted by now, the Enforcement officer will have due regards to the same while taking steps for recovery if any.

B.H. MARLAPALLE, J